

REMARKS

Applicants respectfully request reconsideration of the present application in view of the reasons that follow.

Claims 1, 3-11, 14-16, and 20-23 are pending.

The applicants appreciate the Examiner's indication that claims 9, 11, 15, and 16 are allowed.

Claim 15 has been amended to eliminate the basis for objection.

Claims 1, 3-8, 10, 14, and 21-23 are rejected under § 103 as being unpatentable over Crawford.

At the outset, it is noted that the Detailed Action does not provide any rejection of claim 20.

In any event, it is respectfully submitted that the claims are clearly patentable for at least the following reasons.

First, an embodiment of the invention will be briefly summarized and then the claims and prior art will be discussed.

A purpose of the described arrangement is to place an end of insertion tube 10 (please see Figure 1) a set distance within blood vessel 8. Once the end is positioned at the set distance within blood vessel 8, guide rod 5 can be removed and the arrangement can be used to deploy a device into the blood vessel 8 via the path resulting from the removal of guide rod 5.

In order to position the end, the insertion tube 10 is inserted beneath the skin and into the blood vessel until blood meniscus 28 (please see Figure 6) appears in the appropriate portion of the device. When the blood meniscus 28 first appears, this means that opening 11 is positioned just inside the blood vessel. In order for this arrangement to work, opening 11

has to be uncovered and also has to be the only opening in insertion tube 10 when the guide rod 5 is in place.

Claim 1 recites that the liquid inlet opening is “uncovered.” This uncovered opening corresponds to opening 11 in the embodiment of Figure 1. The office action refers to opening 21a of Crawford as satisfying this feature. However, opening 21a is enclosed and covered by an outer wall 14a (please see Figure 4). Accordingly, the uncovered opening feature of claim 1 is not disclosed or suggested by Crawford. Also, claim 1 recites “a window comprising an at least semi-transparent section configured to enable visual observation of blood entering into the duct via the inlet opening when the inlet opening is located inside the blood vessel.” Crawford does not have such configuration. Crawford’s opening 21a, which the office action indicates corresponds to the claimed inlet opening, does not enable visual observation of blood when the inlet opening is located inside the blood vessel because Crawford’s opening 21a is covered. In other words, the position of opening 21a with respect to the blood vessel does not make any difference as to whether or not blood may be observed. This is because in the Crawford arrangement, opening 21a is covered and all that matters in the Crawford arrangement is whether needle tip 12a is inside the blood vessel.

Thus, at least these two features of claim 1 are not disclosed or suggested by Crawford. The remaining rejected independent apparatus claims 10, 14, 21, and 22 recite similar features and are patentable for similar reasons.

Regarding method claim 20, claim 20 recites use of a “window in the form of an at least semi-transparent section configured to enable visual observation of blood entering into the duct via the inlet opening when the inlet opening is located inside the blood vessel.” As discussed immediately above, the positioning of Crawford’s opening 21a with respect to the blood vessel has nothing to do with whether visual observation of blood is enabled because Crawford’s opening 21a is covered.

In addition, regarding method claim 20, method claim 20 recites that the opening at the extreme distal end be plugged so that pressure is indicated. In contrast, Crawford’s guide

wire 24 must be somewhat retracted to allow blood to flow into the unplugged very distal opening of the hollow needle 11 so that pressure is indicated (column 6, first full paragraph).

Thus, it is respectfully submitted that all of the claims are clearly patentable.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

1/28/08

By



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